

Commissioner for Patents
Serial No. : 10/714,401

REMARKS

Claims 2-6 and 16 are pending in this application. Claims 1, 7-15, and 17-22 are cancelled without prejudice.

No new matter has been added.

Claim Rejections – 35 USC § 102

Claims 2, 3, 5, 6, 8-10, 16-20 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,321,236 issued to Zollinger et al. (hereinafter “Zollinger”). This rejection is respectfully traversed for the following reasons.

Applicant respectfully submits that the Examiner is incorrect in stating that the final two limitations of claim 16 “modifying the data element stored in the client computer as part of executing the common task to create a modified data element” and “modifying the selected data element on the shared storage medium based on the modified data element” are only executed if the “second reply” is sent. Rather, the final two limitations of claim 16 are executed upon receipt of the “first reply”, and are also executed upon receipt of the “second reply”. There is nothing in the plain language of claim 16 that indicates that the final two limitations of claim 16 are not executed when the “first reply” is sent.

Moreover, claim 16 plainly indicates that the limitation “upon receipt of the second reply, modifying the data element stored in the client computer to correspond to the new copy received from the shared storage medium prior to executing the common task” occurs prior to “executing the common task”.

In contrast, the limitation “modifying the data element stored in the client computer as part of executing the common task to create a modified data element” occurs as part of “executing the common task”, and the subsequent limitation modifies “the selected data element on the shared storage medium based on the modified data element”, which was created as part of “executing the common task”.

Therefore, nothing in the plain language of claim 16 indicates that the final two limitations are executed only if the “second reply is sent”.

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Claims 2, 3, 5, and 6 depend directly or ultimately on claim 16. Consequently, claims 2, 3, 5, and 6 are believed patentable for the same reasons provided above. The Applicant respectfully requests reconsideration of the rejection.

Claim Rejections – 35 USC § 103

Claims 4 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Zollinger in view of US Patent No. 5,574,953 issued to Rust et al (hereinafter “Rust”). This rejection is respectfully traversed for the following reasons.

Claim 4 depends directly or ultimately on claim 16 and in view of the above reasons provided for claim 16, claim 4 is now believed to be patentable over Zollinger in view of Rust. The Applicant respectfully requests reconsideration of the rejection.

Conclusions

In light of the above, Applicant respectfully requests that the Examiner reconsider the arguments for patentability of claims 2-6 and 16 presented by Applicant in the Response of 9/23/2008. It is believed that claims 2-6 and 16 are allowable over the prior art and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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